

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 1997-332-C - ORDER NO. 2005-159

APRIL 8, 2005

IN RE: Application of Georgia National Acceptance) ORDER CANCELLING
Corp. d/b/a First Tel for a Certificate of Public) CERTIFICATE
Convenience and Necessity to Provide Local)
Exchange Telecommunications Services within)
the State of South Carolina.)

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the request to cancel the Certificate of Public Convenience and Necessity (“PC&N”) of Georgia National Acceptance Corp. d/b/a First Tel (“First Tel” or the “Company”) to provide local exchange telecommunications services in the State of South Carolina. A review of the docket file reveals that the Commission granted First Tel authority to operate as a reseller of local exchange telecommunications services in the State of South Carolina by Order No. 97-986, dated November 18, 1997.

Additionally, First Tel was granted authority by this Commission to operate as reseller of intrastate interexchange telecommunications services in South Carolina by Order No. 98-206, dated March 18, 1998. On April 12, 2004, the Commission issued Order No. 2004-187, which cancelled First Tel’s authority to provide resold intrastate interexchange telecommunications services. The cancellation of First Tel’s interexchange authority was based upon the Company’s annual report filing. As is required by the Commission’s Rules and Regulations, First Tel filed its “Annual Report for Interexchange Companies” with the Commission for the twelve months ending December

31, 2003. On its Annual Report, First Tel denoted that the Company was inactive, and the Report reflected that there was no activity or operations of the Company for the twelve months ending December 31, 2003. As additional verification of First Tel's termination of operations, on April 1, 2002, a letter was filed by First Tel's accounting manager, requesting cancellation of the Company's Certificate. First Tel advised the Commission that the Company had not operated since March 31, 2001, when the customer base was sold and that no South Carolina customers were affected by the sale as the new owner took over servicing the accounts. The Commission's General Counsel then responded to First Tel's request by letter of May 8, 2002, and advised First Tel that it would be necessary for the Company to apply to the Commission for approval of the sale of customer base prior to cancellation of its Certificate. However, no action was taken by First Tel to obtain approval of the sale of customer base, and no additional correspondence was received from the Company until the filing of its Annual Report for the twelve months ending December 31, 2003.

First Tel's authority to provide local exchange telecommunications services was not cancelled by the Commission at the time of cancellation of the Company's interexchange authority. The Commission reasons that failure to cancel First Tel's local exchange authority sequentially with cancellation of the Company's interexchange authority was merely due to an oversight by the Commission.

As First Tel, by the its own acknowledgement, is not providing the services for which the Company's Certificate of Public Convenience and Necessity was granted and based on the fact that the Company's interexchange authority has been cancelled, the

Commission finds and concludes that First Tel's Certificate of Public Convenience and Necessity to provide resold local exchange telecommunications services within the State of South Carolina should likewise be cancelled. Although, First Tel did not obtain approval for transfer and sale of the Company's customer base, we find that no adverse impact would be created for South Carolina consumers by cancellation of the Company's Certificate since First Tel no longer has customers in South Carolina.

IT IS THEREFORE ORDERED THAT:

1. The Certificate of Public Convenience and Necessity to provide local exchange telecommunications services in South Carolina authorized by Order No. 97-986, dated November 18, 1997, issued in the instant docket to Georgia National Acceptance Corp. d/b/a First Tel is hereby cancelled.
2. This Order shall remain in full force and effect until further Order of the Commission.

/s/
Randy Mitchell, Chairman

ATTEST:

/s/
G. O'Neal Hamilton, Vice Chairman

(SEAL)